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LS 6-0802

OGC REVIEW COMPLETED

12 April 1956

MEMORANDUM FOR: 25X1A9A  Assistant to the Director

SUBJECT: Use of Copyrighted Music Abroad by U. S. Government Agencies

1. In summary the problem discussed here is as follows. USIA and Defense both broadcast copyrighted material. Both claim the right to do this without further licensing or payments. Various foreign bodies similar to ASCAP have asserted claims for infringement. Defense rejects the claims, claiming they have a license and a suit on one claim has been brought in Iceland. USIA asserts claims are not valid, but in practice tries to have them withdrawn or settles them for a cash payment. USIA wants to continue this practice. Defense wants to make the Iceland case a test case, believing the claimants will be defeated. State disagrees, thinking the claims are valid and that the refusal to honor them is very disruptive to our relations in the countries concerned. The Department of Justice has not been brought into the problem.

2. There are, thus, three choices:

- a. The State recommendation to honor the claims and budget for the continuing costs;
- b. the Defense recommendation to reject the claims and stand or fall on the Iceland case;
- c. the USIA desire to continue settling separate claims through individual negotiations in each case.

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The Central Intelligence Agency is not involved in the problem except possibly in its impact on U. S. relations with foreign countries.

S/

LAWRENCE R. HOUSTON  
General Counsel

Attachment - OCB memo, 5 Apr 56,  
same subject

OGC:LRH:jeb  
cc: OGC chrono-no circ  
subject-Inventions I

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